



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Schmelzer, C. et al) Art Unit: 1619
U.S. Appln. No. : 10/054,567) Examiner:
U.S. Filing Date : November 13, 2001
Confirmation No. : 7734
Title of Invention : Pharmaceutical Compositions based on Tiotropium Salts and Salts of
Salmeterol
Attny. Docket No.: 1/1171

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1619

Commissioner for Patents
Washington, D.C. 20231

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TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

1.97(b) This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

1.97(c) This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b) but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

The fee set forth in 37 C.F.R. §1.17(p).

The Assistant Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

1.97(e).

Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

The fee set forth in 37 C.F.R. §1.17(p).

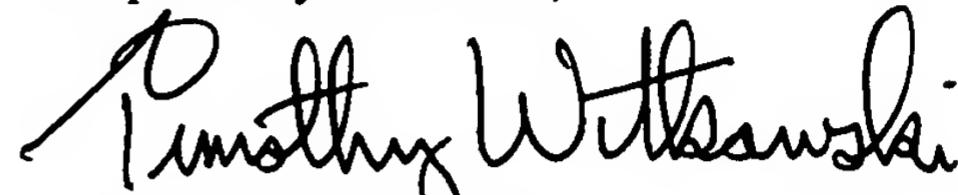
The Assistant Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

The Assistant Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triple copy of this form are enclosed.

Respectfully submitted,



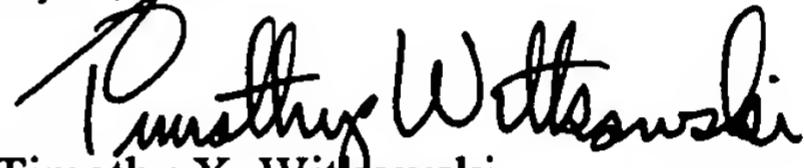
Timothy X. Witkowski
Attorney for Applicant(s)
Reg. No. 40,232

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		DE 198 47 970 A1	10/17/1998	Boehringer Ingelheim Pharma KG		
		WO 00/69468	11/23/2000	Boehringer Ingelheim Pharma KG		

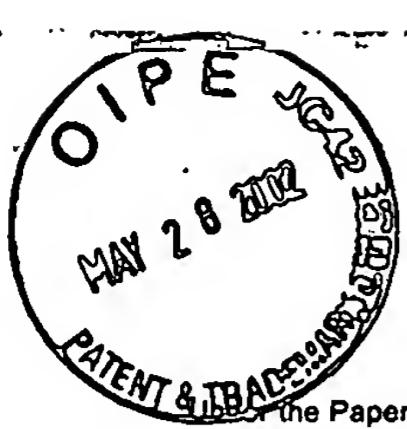
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Application Number	10/054,567
Filing Date	November 13, 2001
First Named Inventor	Schmelzer, C. et al
Group Art Unit	1619
Examiner Name	
Attorney Docket Number	1/1171

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		PETER J. BARNES, Chronic obstructive pulmonary disease: new opportunities for drug development; TiPS - October 1998 (Vol. 19) pp. 415-423 P.J. REES, Bronchodilators in the therapy of chronic obstructive pulmonary disease; European Respiratory Monography, 1998, 7, 135-149	

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